
**VILLAGE OF SUGAR GROVE
BOARD REPORT**

TO: VILLAGE PRESIDENT & BOARD OF TRUSTEES
FROM: SCOTT KOEPEL, VILLAGE ADMINISTRATOR
SUBJECT: NON-BINDING PUBLIC POLICY QUESTION (ADVISORY
REFERENDUM) FACT SHEET
AGENDA: JANUARY 21, 2025 REGULAR BOARD MEETING
DATE: JANUARY 17, 2025

ISSUE

Should the Board of Trustees approve a Non-Binding Public Policy Question (Advisory Referendum) Fact Sheet?

DISCUSSION

Staff and elected officials have received questions about the upcoming advisory referendum. While the Village does not support or oppose the referendum, we can provide information to the public. Staff collaborated with the Village Attorney to draft the fact sheet.

COST

Attorney's fees to review and draft the document.

RECOMMENDATION

Staff recommends approving the fact sheet and distributing it on the Village's website and social media.

Referendum Fact Sheet



What is a non-binding public policy question (advisory referendum)?

(10 ILCS 5/28-1; 10 ILCS 5/28-6(c))

In Illinois, a non-binding public policy question, also known as an advisory referendum, is a type of public vote by which citizens express their opinion on a specific issue, but the results of the vote are not binding on the governmental body and do not have the force of law. Instead, the outcome serves as a recommendation or expression of public sentiment for the consideration of government officials or legislators.

What is the public policy question that has been submitted?

(Submitted to Village on 12/26/24 and on file with Village Clerk)

"Should the Village of Sugar Grove's approval of the 'The Grove' a development project by Sugar Grove LLC / Crown Community Development, located near interstate 88 and Illinois Route 47, be immediately reversed using all necessary and lawful measures?"

How did the public policy question end up on the ballot?

The Illinois Election Code provides different mechanisms through which referenda can be placed on the ballot. (See, e.g. 10 ILCS 5/28-6). In this case, signatures were collected from qualified individuals and a resident submitted the packet of signatures to the Village Clerk. No objections to the petition were filed within the statutory timeframe.

What was approved on September 10, 2024, as it relates to "The Grove" development project by Sugar Grove, LLC?

The Village Board approved the following items related to The Grove development:

- a. **Ordinance:** Property at I-88 and IL-47 Annexation Agreement (Sugar Grove LLC.)
- b. **Ordinance:** Annexation of the Grove Property
- c. **Resolution:** Property at I-88 and IL-47 Property Subdivision (Sugar Grove LLC.)
- d. **Ordinance:** Property at I-88 and IL-47 Planned Development District (Sugar Grove LLC.)
- e. **Ordinance:** Approving the Village of Sugar Grove, Illinois, I-88 & IL-47 Redevelopment Project Area Tax Increment Financing District Eligibility Report and Redevelopment Plan and Project.
- f. **Ordinance:** Designating the Proposed I-88 and IL-47 Tax Increment Financing District Redevelopment Project Area Pursuant to the Tax Increment Allocation Redevelopment Act.
- g. **Ordinance:** Adopting Tax Increment Financing for the I-88 and IL-47 Tax Increment Financing District Redevelopment Project Area.
- h. **Ordinance:** Approving a Redevelopment Agreement for the I-88 and IL-47 Tax increment Financing with Sugar Grove LLC.

What legal options does the Village have to "reverse" The Grove Development?

The ordinances and resolutions were passed pursuant to an annexation agreement between the Village of Sugar Grove and Sugar Grove LLC. Because the annexation agreement commits the Village to granting certain entitlements, a "reversal" by the Village of the resolutions or ordinances could open up the Village to a "breach of contract" giving rise to liability on the part of the Village (65 ILCS 5/11-15.1-4).

The Village does not endorse or oppose the public policy question.

For more information about The Grove please visit our website:

<https://www.sugargroveil.gov/sugar-grove-llc-development-information>